

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CURTIS HOWELL,)	
)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 23-13136-MJJ
)	
CAMBRIDGE LIBRARY, ET AL.,)	
)	
Defendants.)	

ORDER DISMISSING CASE

January 23, 2024

JOUN, J.

The Court finds that Plaintiff Curtis Howell (“Mr. Howell”) is unable to pay the filing fee and ALLOWS the Motion to Proceed *in forma pauperis*. [Doc. No. 2]. If a plaintiff is proceeding *in forma pauperis*, this Court must dismiss a complaint when the action is frivolous. 28 U.S.C. § 1915(e)(2)(B)(i). “A complaint is frivolous . . . ‘if the facts alleged are ‘clearly baseless,’ a category encompassing allegations that are ‘fanciful,’ ‘fantastic,’ and ‘delusional.’” *Miller v. Kennebec Cnty. Sheriff’s Dept.*, 54 F.3d 764 (1st Cir. 1995) quoting *Denton v. Hernandez*, 112 S. Ct. 1728, 1733 (1992) (citations omitted).

Here, the Complaint is premised upon Mr. Howell suffering from a “brain computer interface and brain mapping, motor-electrode mapping.” [Doc. No. 1]. While the Court does not doubt the sincerity of Howell’s belief in his claims, the Complaint, read generously, does not meet the minimal screening requirements of 28 U.S.C. §1915(e)(2)(B)(i). *See e.g., Punch v. Victoria Cnty. Jail Med. Dep’t*, No. 6:22-CV-00022, 2023 WL 5613411, at *16 (S.D. Tex. Feb. 7, 2023); *Dwyer v. United Kingdom Gen. Commun._H.Q.*, No. 22-CV-7171 (LTS), 2022 WL

15523479, at *1 (S.D.N.Y. Oct. 24, 2022); *Scott v. F.B.I.*, No. 4:21-CV-01057, 2021 WL 3578318, at *2 (M.D. Pa. July 15, 2021).

Because it is “crystal clear that the plaintiff cannot prevail and that amending the complaint would be futile,” *Chute v. Walker*, 281 F.3d 314, 319 (1st Cir. 2002), this action is DISMISSED without prejudice pursuant to 28 U.S.C. §1915(e)(2)(B)(i). The Clerk is directed to enter a separate Order of Dismissal and CLOSE this action.

SO ORDERED.

/s/ Myong J. Joun
United States District Judge